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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/933,567

08/20/2001

Nick Steele

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05/11/2006

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EXAMINER

ROBINSON, GRETA LEE

ART UNIT

PAPER NUMBER

2168

DATE MAILED: 05/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/933,567	Applicant(s) STEELE ET AL.	
	Examiner Greta L. Robinson	Art Unit 2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5,7-9 and 11-72 is/are pending in the application.
- 4a) Of the above claim(s) 14-19 and 21-62 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,7-9,11-13,20 and 63-72 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>04/25/06</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1, 3-5, 7-9, 11-19, 20-62, and 63-72 are pending in the present application. Claims 14-19 and 21-62 are withdrawn. Claims 2, 6 and 10 are cancelled. Claims 1, 3, 5, 7, 9, 11, 13, 20, 63, 67 and 72 have been amended.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on April 25, 2006 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner, note attached copy of form PTO 1449.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

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consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1, 3-5, 7-9, 11-13, 20 and 63-72 rejected under 35 U.S.C. 103(a) as being unpatentable over Haller et al. US Patent 5,983,208 in view of Campbell et al. US Patent Application Publication No. 2005/0171811 A1.

Regarding claim 1, Haller et al. teaches a computer-implemented method, comprising the steps of:

receiving consumer profile information over a distributed network [note: Figure 29 and 30; col. 57 line 40 through col. 58 line 34];

storing the consumer profile information in a central data repository comprising a plurality of information accounts associated with a plurality of different consumers, logically associated with a plurality of exchanges, each information account associated with at least one exchange, wherein an exchange comprises a group of one or more servers that are authorized and configured to accept the consumer profile information from a particular information account at the request of a consumer [note; wallet file (2640) Figure 26 (i.e. profile); col. 103 line 55 through col. 105; Figure 23 note servers 200; Figure 22 and Figure 21B Multithread Gateway];

receiving requests from the exchanges for consumer profile information in specific information accounts [note: col. 91 line 10 through col. 92]; and

responding to said requests by conveying some or all of the consumer profile information to the requesting exchange, provided that the information account storing the consumer profile information is associated with the requesting exchange [note: col. 14 lines 44-55; Figure 28, 29, 20B]. Although Haller et al. teaches the invention substantially as cited above, including an exchange comprising a group of one or more servers (i.e. servers 200 Figure 23) they do not explicitly state that the exchange is configured to accept the consumer profile information from the particular information account at the request of the consumer. Cambell et al. provides for this feature. Cambell et al. teaches managing the exchange of financial transaction data between a client system coupled to a financial transaction system by an open network; and further provides information parsing with respect to profile type corresponding to the financial transaction [note: abstract; Figures 5, 7 *security groups*; 14; 15; 21 and 26; paragraphs 004 need to integrate multiple data sources and platforms; paragraphs 005-007; paragraph 0053, 0076, 0152 user group and account configuration; also 0133-0144]. It would have been obvious to one of ordinary skill at the time of the invention to have combined Cambell et al. with Haller et al. because Cambell et al. further depicts how integrity of customer information is maintained with respect to on-line transactions of customers.

5. Regarding claim 3, wherein said central data repository further comprises, for each information account, an identification of an originating vendor or entity, said method further comprising the steps of:

maintaining a transaction log recording utilization of each information account to allow for compensation to the information account's originating vendor or entity [note Haller et al.: *Transaction Logger* (2155) Figure 21B].

6. Regarding claim 4, wherein said requests are initiated from activity at a users computer in communication with the exchanges over the distributed network [note: Haller et al. Figure 10 (1010)].

7. The limitations of claims 5, 7-9, 11 and 12 parallel claims 1 and 3-4; therefore they are rejected under the same rationale.

8. The limitations of claim 13, 20 and 63-72 have been addressed above except for the following: said exchanges comprising a logical grouping of one or more servers communicating with user devices ... sending the consumer profile information to a central data repository for storage ... branded information accounts [note Haller et al.: *Branded/GUI* (2600) figure 26; *Multithread Gateway* Figure 21B, also note servers 200 Figure 23].

Response to Arguments

9. Applicant's arguments with respect to claims 1, 3-5, 7-9, 11-13, 20 and 63-72 have been considered but are moot in view of the new ground(s) of rejection.

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Applicant argues Haller et al. does not teach the amended limitation, specifically an exchange comprises a group of one or more servers that are authorized and configured to accept the consumer profile information from a particular information account at the request of the consumer. In response to Applicant's amendment and argument, note newly cited reference Cambell et al. cited in combination with Haller et al. under 35 USC 103(a) supra.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Eisenhart US Patent Application Publication No. 2001/0047276 A1

Zhao US Patent 6,944,677 B1

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

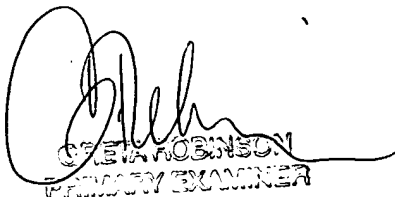
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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greta L. Robinson whose telephone number is (571)272-4118. The examiner can normally be reached on M-F 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim T. Vo can be reached on (571)272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



GRETAL ROBINSON
PRIMARY EXAMINER

Greta Robinson
Primary Examiner
May 9, 2006